

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed April 15, 2009. At the time of the Office Action, Claims 1-17 were pending in this Application. Claims 1-17 were rejected. Claims 1, 5, 8-12, and 15 are herein amended, and Claims 7 and 17 are herein cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Claim Objections

Claims 5 and 15 were objected due to the recitation of certain phrases, which the Examiner recommended be replaced with alternative language. Applicants have amended Claims 5 and 15 accordingly.

Rejections under 35 U.S.C. § 112

Claims 5, 7, 9-11, 15 and 17 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended Claims 5, 9-11, and 15 to overcome these rejections. Further, although Applicants do not necessarily agree with the rejection of Claims 7 and 17, Applicants have cancelled Claims 7 and 17 to advance prosecution. Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §112, second paragraph.

Rejections under 35 U.S.C. § 102

Claims 1-6 and 12-16 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0007338 filed by Roger Popp ("*Popp*").

Claims 8-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Popp*.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is

contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Further, in order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Applicants respectfully submit that the amended claims are allowable over *Popp* at least because *Popp* does not teach every limitation of such amended claims. For example, amended Claim 1 recites “a single locking element” and “wherein the single locking element is formed as a single element including a slot for receiving the receptance of the needle laterally into the slot such that the locking element surrounds the needle except at the location of the slot.” Amended independent Claims 8 and 12 recited similar limitations.

Popp does not teach these limitations. The Examiner alleges that *Popp*’s “keepers 78” are equated with Applicants’ claimed “locking element.” *Popp*’s only teaching regarding keepers 78 is provided in Figure 3 and paragraph 0028, which states: “As shown in FIG. 3, the spring 66 engages a disc shaped spring retainer 76 which is secured to the valve 46 by keepers 78.” *Popp* provides no other reference to keepers 78. Keepers 78 cannot be equated with Applicants’ locking element, as recited in the amended claims. First, *Popp* uses multiple keepers 78, and thus does not teach a “single locking element” or “wherein the single locking element is formed as a single element.” Further, keepers 78 do not include a slot for receiving a portion of the needle laterally into the slot. Further, as keepers 78 are not a single locking element with a slot, keepers cannot “surround[] the needle except at the location of the slot.” For at least these reasons, *Popp* does not teach every limitation of Applicants’ claims as amended.

Therefore, Applicants respectfully request reconsideration and allowance of independent Claims 1, 8, and 12, as well as all claims that depend therefrom.

Association of Customer Number and Change of Correspondence Address

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **86528**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **86528**. All telephone calls should be directed to Eric M. Grabski at 512.457.2030. A Revocation and Power of Attorney will be filed shortly.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants respectfully submit a Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$130.00 required to Deposit Account 50-4871 in order to effectuate this filing.

Applicants believe there are no fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.457.2030.

Respectfully submitted,
KING & SPALDING L.L.P.
Attorney for Applicants



Eric M. Grabski
Registration No. 51,749

Date: August 4, 2009

SEND CORRESPONDENCE TO:
KING & SPALDING L.L.P.
CUSTOMER ACCOUNT NO. **86528**
512.457.2030
512.457.2100 (fax)

ATTORNEY DOCKET
78857.105676

PATENT APPLICATION
10/598,349

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APPENDIX
AMENDED DRAWINGS

FIG 1

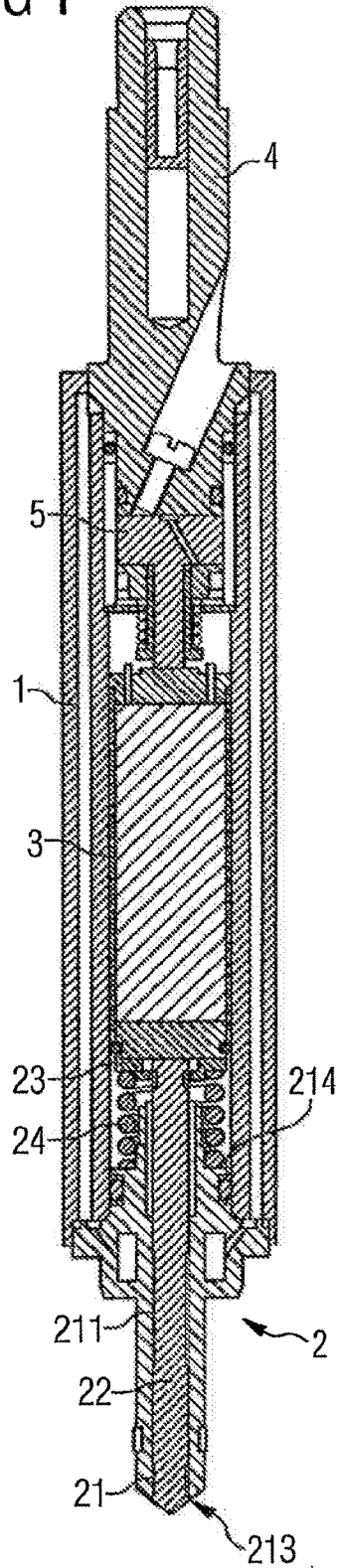


FIG 2

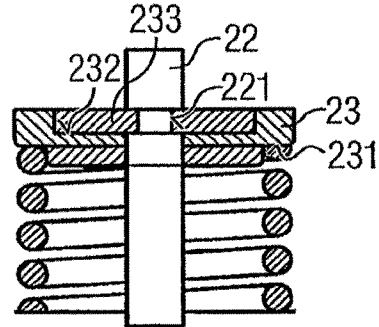


FIG 3

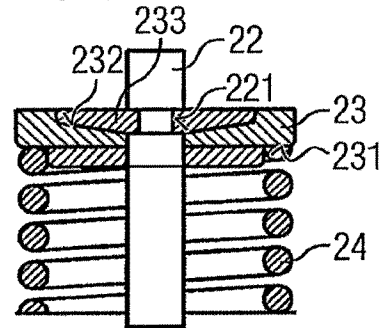


FIG 4

